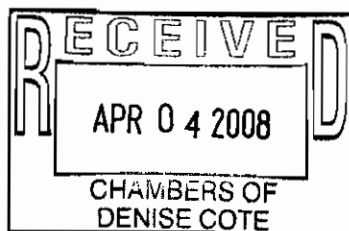




U.S. Department of Justice

*United States Attorney
Southern District of New York*

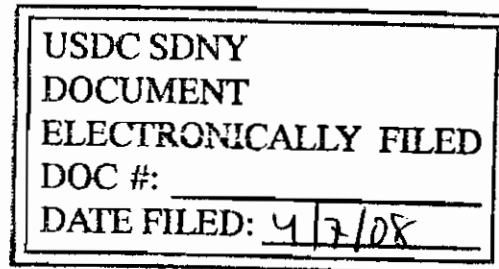


86 Chambers Street, 3rd floor
New York, New York 10007

April 4, 2008

BY HAND

The Honorable Denise L. Cote
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1040
New York, New York 10007



Re: Shalaby v. USCIS, No. 07 Civ. 9885 (DLC)

Dear Judge Cote:

On behalf of the Government, I write to request a one-week adjournment of the briefing schedule governing the Government's motion to dismiss the above-referenced proceeding. (Copies of the Court's scheduling order and a proposed superseding order are enclosed hereto as Exhibits A and B, respectively.)

At the February 22, 2008 pretrial conference, the Court requested that the Government advise the plaintiff on March 21, 2008 of the status of his naturalization application. On that date, I informed plaintiff's counsel that the FBI's name check, the investigation that has delayed the application, had not yet been completed.

I found out yesterday, however, that the FBI has completed the name check and remitted the results to CIS. Because CIS has a complex process for importing the data, CIS does not yet know the results of the name check. But if the FBI has cleared Shalaby's name, CIS will schedule him for an interview and adjudicate the application.

Given the foregoing, I have obtained plaintiff's consent to seek a one-week adjournment of the briefing schedule, during which time I should be able to learn the status of Shalaby's naturalization application. This is the Government's first request for an extension of time. As set forth in the proposed order, the adjourned dates would be:

- Motion served by April 11, 2008;
- Opposition served by April 25, 2008;
- Reply Served by May 2, 2008.

Granted.
Denise Cote
April 7, 2008

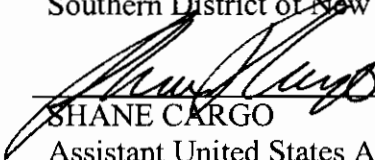
The Honorable Denise L. Cote
April 4, 2008
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Thank you for your consideration of this request.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By:


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Encls.

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BY FAX AND BY MAIL (w/encls.)